



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : BPT.20/2014
Complainant/ Appellant : Md. Falu Mia
Respondent : The SPIO, O/o the Sub Divisional Engineer, Barpeta
Electrical Sub-Division, APDCL, Barpeta
Date of hearing : 28.12.2015
Complaint/ Second Appeal heard by : Shri Pinuel Basumatary, IA&AS (Retd),
State Information Commissioner, Assam

O R D E R
28.12.2015

Neither the parties present nor Written Submission received.

A perusal of the case records indicates the following sequence of significant dates:

26.07.2013 RTI Application filed with the SPIO, O/o the Sub Divisional Engineer,
Barpeta Electrical Sub-Division, APDCL, Barpeta
12.12.2013 First Appeal filed with the Sub Divisional Engineer, Barpeta Electrical
Sub-Division, APDCL, Barpeta
01.12.2015 Second Appeal filed before the Commission.

In the absence of the parties and Written Submissions, the latest position of the Second Appeal case could not be determined by the Commission.

The SPIO has not submitted an explanation as to why penalty will not be imposed on him/her Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Appellant within the stipulated period of 30 days.

The First Appellate Authority (FAA)/ Sub Divisional Engineer, Barpeta Electrical Sub Division, APDCL, Barpeta has not apprised the Commission about the steps he/she may have taken to dispose of the First Appeal dated 12.12.2013 in time, which he was asked to do by the Commission through its hearing notice dated 01.12.2015, either by a written submission or by deputing his authorized representatives to the hearing.

Considering the above facts and circumstances, the Commission hereby orders that the SPIO shall furnish the information sought for by the Appellant/Petitioner, if not already done, free of cost within a period of 10 days from the date of receipt of this order.

The SPIO shall also submit an explanation within a period of 10 days from the date of receipt of this order before the Commission as to why penalty will not be imposed on him/her Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Appellant within the stipulated period of 30 days

The FAA/SDE, Barpeta Electrical Sub Division, APDCL, Barpeta shall consider and dispose of the First Appeal dated 12.12.2013 submitted by the Appellant/Petitioner with a speaking order within a period of 21 days from the date of receipt of this order.

A copy of the First Appeal may be enclosed with this order.

Sd/-

**Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati**

Authenticated true copy.

Sd/-
**Secretary & Registrar
Assam State Information Commission**

Copy to:

1. The SPIO, O/o the Sub Divisional Engineer, Barpeta Electrical Sub Division, APDCL, Barpeta Assam, Pin- 781301 for information and necessary action.
2. The First Appellate Authority/ Sub Divisional Engineer, Barpeta Electrical Sub Division, APDCL, Barpeta, Assam, Pin- 781301 for information and necessary action.
3. Md. Falu Mia, S/o Arjullah Munchi, Vill- Digirpam, PO- Nirala, Dist- Barpeta, Assam, Pin- 781308 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission